

# WINSTON & STRAWN

ONE FIRST NATIONAL PLAZA  
CHICAGO, ILLINOIS 60603

FREDERICK H. WINSTON (1853-1886)  
SILAS H. STRAWN (1891-1946)

JAMES A. VROMAN  
(312) 558-5820

(312) 558-5600  
TWX 910-221-5467  
TELECOPIER (312) 558-5854

April 26, 1988

WASHINGTON, D.C. OFFICE  
2550 M STREET, N.W.  
WASHINGTON, D.C. 2003  
(202) 828-8400

PHOENIX OFFICE  
2300 GREAT AMERICAN TOWER  
3200 NORTH CENTRAL AVENUE  
PHOENIX, ARIZONA 85012  
(602) 279-8500

TUCSON OFFICE  
SUITE 600  
8210 EAST WILLIAMS CIRCLE  
WILLIAMS CENTRE  
TUCSON, ARIZONA 85711  
(602) 747-9901

## VIA MESSENGER

Ms. Susan Swales  
U.S. EPA - Region V  
Waste Management Division  
CERCLA Enforcement Section  
230 South Dearborn Street  
Chicago, Illinois 60604

Re: Ninth Avenue Dump, Gary, Indiana;  
U.S. Scrap, Chicago, Illinois

Dear Ms. Swales:

As I advised you in my April 20, 1988 letter to you, our client, Hendrickson Manufacturing Company, a Delaware corporation ("Hendrickson") is now in a position to formally respond to the March 9, 1988 PRP letter which was addressed to "Hendrickson Manufacturing, 8001 47th Street, Lyons, Illinois 60534." We believe that our client mistakenly received Mary Gade's PRP letter of March 9, 1988. Hendrickson did not acquire the manufacturing facility in Lyons until December 1978, through an asset purchase from an Illinois corporation known as Hendrickson Manufacturing Company. In 1987 Hendrickson sold substantially all of its operating assets to an entity known as Hendrickson Mobile Equipment, Inc.

The 1977 Certified List of domestic and foreign corporations, issued by the Illinois Secretary of State, shows "Hendrickson Mfg. Co." as a domestic corporation with a registered office at 8001 West 47th Street, Lyons, Illinois 60534. That office is no longer the location of the registered agent for Hendrickson Manufacturing Company, the Illinois corporation.

US EPA RECORDS CENTER REGION 5

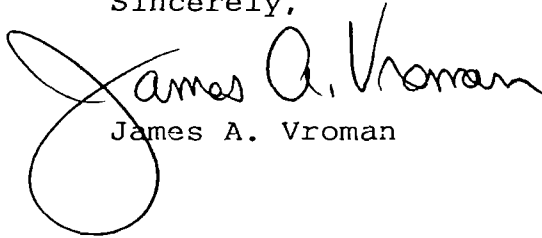


410369

Ms. Susan Swales  
April 26, 1988  
Page Two

Accordingly, it is obvious that our client, Hendrickson, the Delaware corporation, can produce nothing in response to Mary Gade's letter since it is not a potentially responsible party.

Sincerely,

A handwritten signature in cursive script that reads "James A. Vroman". The signature is written in dark ink and is positioned above the printed name. The first letter "J" is large and loops around the first part of the name.

James A. Vroman

JAV:wgc

JAV  
WINSTON & STRAWN

ONE FIRST NATIONAL PLAZA  
CHICAGO, ILLINOIS 60603

WINSTON & STRAWN

ONE FIRST NATIONAL PLAZA  
CHICAGO, ILLINOIS 60603

MESSENGER TICKET

Ms. Susan Swales  
U.S. EPA - Region V  
Waste Management Division  
CERCLA Enforcement Section  
230 South Dearborn Street  
Chicago, Illinois 60604

HK